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14 INSURANCE COMPANY

15  
16 IN THE UNITED STATES DISTRICT COURT  
17 EASTERN DISTRICT OF CALIFORNIA

18 KYLE COLPACK and CIERRA COLPACK,  
19 Plaintiffs,  
20 vs.  
21 USAA GROUP dba GARRISON PROPERTY  
22 & CASUALTY INSURANCE COMPANY and  
23 DOES 1 through 25, inclusive,  
24 Defendants.

CASE NO. 2:22-cv-01597-TLN-KJN

**JOINT STIPULATION AND ORDER TO  
MODIFY INITIAL PRETRIAL  
SCHEDULING ORDER**

25 Plaintiffs Kyle Colpack and Cierra Colpack (“Colpacks”) and Defendant Garrison Property  
and Casualty Insurance Company (“Garrison”) hereby agree and stipulate as follows:

**STIPULATION**

26 WHEREAS, the Court’s Initial Pretrial Scheduling Order dated September 13, 2022 (Dkt. 9)  
27 set the following pertinent case management deadlines:

28 a. Fact Discovery Cutoff: May 18, 2023  
b. Expert Disclosures: July 17, 2023  
c. Rebuttal Expert Disclosures: August 16, 2023

- 1                   d. Supplemental Discovery Cutoff: October 13, 2023
- 2                   e. Dispositive Motion Deadline: November 14, 2023

3                 WHEREAS, the parties have been diligently engaged in extensive written discovery and  
4 continue to await the receipt of document production in response to subpoenas served on non-party  
5 entities, the production of which will allow for depositions to move forward and discovery to be  
6 completed;

7                 WHEREAS, the parties previously agreed upon and set forth a modified case management  
8 schedule within their Joint Status Report as filed on November 2, 2022 (Dkt. 10);

9                 WHEREAS, following further discovery, including depositions, the parties will be in a  
10 position to engage in settlement discussion, and are hopeful the matter will resolve;

11                 WHEREAS, the parties agree there is a greater likelihood settlement will be reached in this  
12 matter with additional time, and with the avoidance of expending fees on retaining expert  
13 witnesses;

14                 WHEREAS, the parties believe that a brief continuance of the case management deadlines,  
15 as previously set forth within the Joint Status Report, is warranted to allow for further settlement  
16 negotiations and resolution of the matter;

17                 WHEREAS, the parties have not previously sought any time modifications in this case;

18                 WHEREAS, the parties agree they will not be prejudiced by the continuance of the  
19 discovery deadlines in this case;

20                 WHEREAS, based upon the foregoing the parties believe good cause exists for the  
21 modification of the Court's Initial Pretrial Scheduling Order;

22                 THEREFORE. IT IS HEREBY STIPULATED THAT the parties, by and through their  
23 counsel, jointly and respectfully request that the Court modify the case management deadlines in  
24 this case as follows:

- 25                   a. Fact Discovery Cutoff: August 18, 2023
- 26                   b. Expert Disclosures: October 16, 2023
- 27                   c. Rebuttal Expert Disclosures: November 20, 2023
- 28                   d. Supplemental Discovery Cutoff: January 16, 2024

1 e. Dispositive Motion Deadline: February 13, 2024  
2

3 SO STIPULATED.

4 Dated: 5/15/2023

DKM LAW GROUP, LLP

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12 INSURANCE COMPANY

13 Dated: 5/15/2023

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## ORDER

Pursuant to the parties' stipulation and good cause appearing, it is hereby ORDERED that the Pretrial Scheduling Order as set on September 13, 2022 (Dkt. 9) is hereby modified as follows:

1. Fact Discovery Cutoff: August 18, 2023
2. Expert Disclosures: October 16, 2023
3. Rebuttal Expert Disclosures: November 20, 2023
4. Supplemental Discovery Cutoff: January 16, 2024
5. Dispositive Motion Deadline: February 13, 2024

ORDERED and dated this 15<sup>th</sup> day of May, 2023.

  
Troy L. Nunley  
United States District Judge